

REMARKS

Claims 1-8 are pending in the case. Claims 1-8 are rejected under 35 U.S.C. § 103(a) as unpatentable over Bronz (U.S. Patent 4,882,681; hereafter "*Brotz*") in view of Rutten *et al.* (U.S. Patent 6,632,251; hereafter "*Rutten*") and in further in view of Davitt *et al.* (U.S. Patent 5,392,343; hereafter "*Davitt*"). Claims 1 and 5 are herein amended. Support for the amendments can be found, for example, at page 10, line 26 through page 11, line 7. No new matter has been introduced. Reconsideration of the present application is respectfully requested.

Claim Rejection under 35 U.S.C. § 103(a)

Claims 1-8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Brotz* in view of *Rutten* and further in view of *Davitt*.

Specifically, the rejection states that "*Brotz* does not teach a means for counting the translation time in determining a price for a translation service, however *Rutten* discloses such a means" and that "*Brotz* in view of *Rutten* do [*sic*] not teach a means for adding that bill to a phone call rate, however *Davitt* recites adding services for a language translation (interpreter) to a billing for an actual telephone call." (internal citations omitted).

Applicants respectfully disagree with the statement.

The present invention relates to a method for providing translation service for a communication system, including mobile communication system, such as a cellular phone system, through a network (*e.g.*, a fixed telephone network and an Internet telephone network). According to the present method, the information regarding languages to be translated and the telephone numbers of a plurality of telephone terminals are delivered to a translating apparatus provided in the network,

either simultaneously with or subsequent to establishing the phone connection. Furthermore, the method of the invention includes a step in which the time required for the translation is counted by *an accounting apparatus* which is also provided in the network. The accounting apparatus can automatically calculate the translation fee *with respect to either of the first telephone terminal and the second telephone terminal by which the translation is requested*, add the translation fee to a rate for a call caused by a phone call between the first telephone terminal and the second telephone terminal and charge to a customer.

Bratz discloses a method for simultaneous translation of conversation between two parties using transmitters/receivers that broadcast languages translated by a remote computer back and forth between the parties (Abstract).

As the Office Action acknowledges, *Bratz* does not teach or even suggest a means for counting the translation time for the purpose of calculating a translation fee incurred by either of the first telephone terminal and the second telephone terminal and adding it to the regular call fee.

To cure this deficiency in *Bratz*, the Office Action combines *Bratz* with the teachings of *Rutten* in view of *Davitt*.

Rutten provides a *document producing support system* providing an integrated software architecture which supports end-users in language-intensive business processes involving extensive document production, such as creating, maintaining, and publishing documents (col. 1, lines 8-12 and lines 62-65). As such, *Rutten* has nothing to do with translation services of *spoken languages* through telephone communication network, as recited in the present claims, where a plurality of telephone terminals communicate with one another in spoken languages through a

translating apparatus provided in the network. Thus, in contrary to the Examiner's assertion that "Brotz and Rutten are analogous art because they are from a similar field of endeavor in language translation," there is no motivation for one skilled in the art to look to the *document producing (i.e., a written language) support system* of Rutten to combine with the *spoken language translating device* of Bronz.

Furthermore, even if *Brotz* and *Rutten* were to be combined, it would not result in the method for providing translation service as recited in the present claims. The portion in *Rutten* which the Examiner cites (col. 12, lines 52-62) simply discloses that an end-user of the document producing support system can obtain certain language technology applications from a third party through the communication module 13 on a "pay-as-you-use" on demand basis and that a counting system counts how long the user uses the application. In other words, the "counting system" of *Rutten* simply *counts the length of time* each user uses the third party's application and charges the fee for each use. In *Rutten*, each transaction fee is calculated based on the use of the third party's application by *a single user*.

On the contrary, the method of the present invention involves *at least two (2) users* on the both ends of the telephone communication and the "accounting apparatus" on the network charges a translation fee *with respect to either of the first telephone terminal and the second telephone terminal by which the translation is requested*, and adds the translation fee to a rate for a call caused by a phone call between the first telephone terminal and the second telephone terminal. *Rutten* does not teach anything about such an accounting apparatus involving the translation services of telephone communications for a plurality of the telephone users.

The Examiner further combines *Davitt* to cure the deficiency of the combination between *Brotz* and *Davitt*.

Davitt discloses a translation service, in a telecommunications system, provided by live interpreters using a common platform adjunct which automatically connects a call to a selected interpreter on demand. Although *Davitt* states that the bill for the interpretation service should appear on the regular bills relating to the caller's telephone, there is no teaching as to how such fees can be determined and billed when *a machine translation* is involved in telephone communications as in the present invention, especially because the translation services in *Davitt* involves not a machine but *live interpreters*.

Thus, the present claims are not obvious at all over *Brontz*, *Ratten* and *Davitt*, either each alone or in combination.

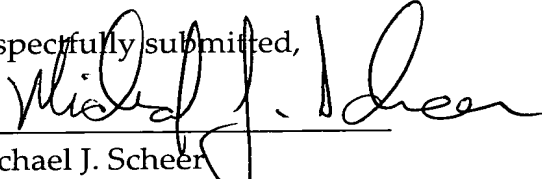
Nevertheless, claims 1 and 5 are herein amended to clarify that the "accounting apparatus" of the present invention can count a time for translation, calculate and charge a translation fee "*with respect to either of the first telephone terminal and second telephone terminal by which the translation is requested*" in addition to a regular call fee.

Accordingly, Applicants respectfully request that the claim rejections under 35 U.S.C. § 103(a) as being unpatentable over *Brotz* in view of *Rutten* and further in view of *Davitt* be withdrawn.

In view of the above amendments, applicants believe that all the claims are now in condition for allowance, early notification of which is respectfully requested.

No fee is believed to be due for this Amendment. Should any fees be required, please charge such fees to Deposit Account No. 50-2215.

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